REMARKS

This Response is submitted in reply to the Office Action dated December 3, 2007 and in accordance with the telephone interview conducted on April 15, 2008. Claims 1, 22 and 24 have been amended. New Claims 44 to 46 have been added. No new matter was added by these amendments or new claims. Claims 16 to 20 and 30 to 35 have been cancelled without prejudice of disclaimer.

A Petition for a Two Month Extension of Time is submitted herewith. Please charge Deposit Account No. 02-1818 for the Petition for One Month Extension of Time and any other fees due.

The Office Action rejected Claims 1 to 37 and 39 to 43 under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,033,307 to Vancura ("Vancura"). Applicants respectfully disagree with and traverse this rejection for at least the following reasons.

Vancura discloses a primary game and a bonus game. The bonus game is triggered by the generation of symbol MM on the reels of the primary game. After the triggering of the bonus game, the Vancura gaming device either automatically causes the reels in the bonus game to spin or causes the reels in the bonus game to spin when the player presses a spin button. The Vancura bonus game includes value symbols. As illustrated in Fig. 5 of Vancura (provided below), the value symbols 86 are shown on payline 65 and accumulated to collectively form an award. Vancura discloses that the value symbols 86, which appear on payline 65 of the bonus game 20, employ symbols which act as multipliers and negative value symbols (col. 14, lines 14 to 41).
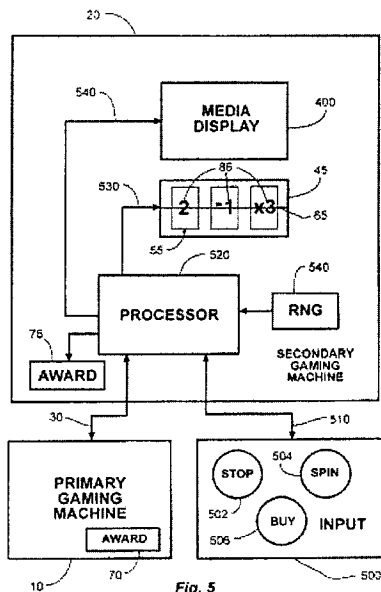
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Fig. 5

Specifically, in Fig. 5 of Vancura, the value symbols 2, -1, and X3 illustrated on payline 65 accumulate to collectively form an award of 3 credits (i.e., (2-1) x 3 = 3). (Vancura, col. 17, lines 35 to 37).

In contrast, please consider the following example from the present application. In Fig. 4A (provided below), a bonus game is triggered when an angel symbol 102 (i.e., the positive modifier symbol), a target symbol 106 (i.e., the award symbol) and a devil symbol 104 (i.e., the negative modifier) are indicated on reels 54A, 54C and 54E, respectively.

FIG. 4A
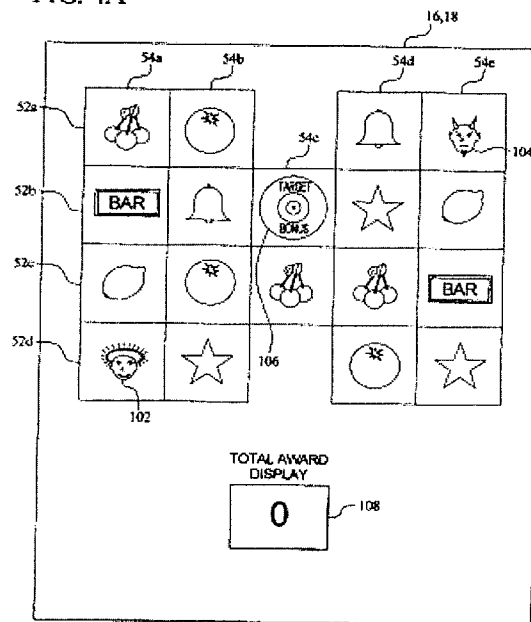
Referring to Fig. 4B of the present application (provided below), once the bonus game is initiated, the gaming device displays a message 110 which in this example is the phrase "touch the target." Therefore, the gaming device prompts the player to physically touch or press the target symbol 106 on the display device 16 to initiate play of the bonus game.

FIG. 4B
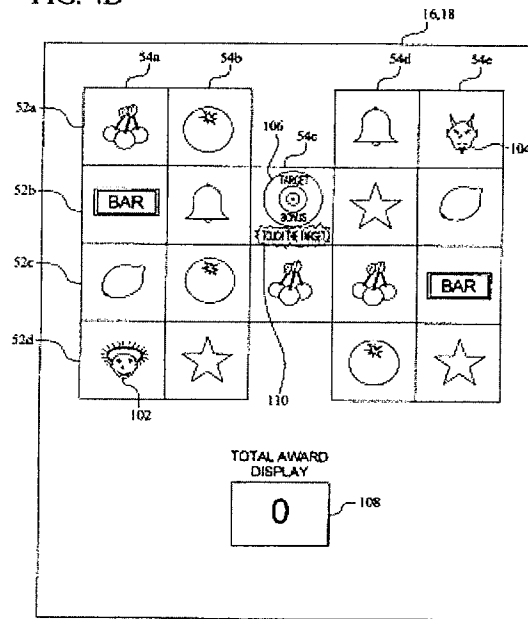
Once the player touches or presses the target symbol 106, the target symbol begins to spin. Once the target symbol stops spinning, a bonus outcome such as a bonus award (the award associated with the award symbol) is displayed. In this example, a bonus award of 220 is displayed to the player as shown in Fig. 4D of the present application provided below.

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FIG. 4D
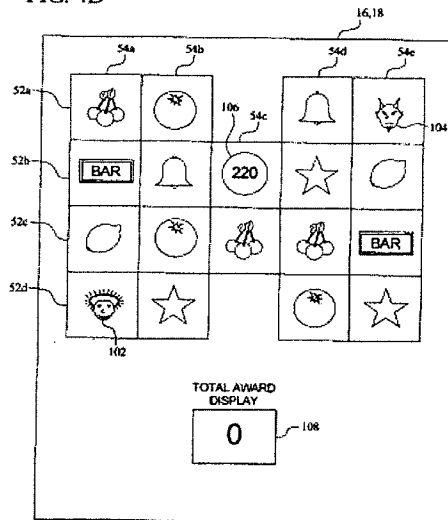
Referring to Fig. 4E of the present application provided below, the gaming device blocks out or eliminates all of the symbols on the reels 54 which are not an angel symbol 102, a target symbol 106 or a devil symbol 104. The negative modifier symbol or devil symbol 104 negatively modifies the bonus award associated with target symbol 106 by generating a negative modifier and applying that modifier to the bonus award. As shown in Fig. 4E, the negative modifier is represented by a pitchfork 112 which the gaming device displays being thrown towards the target symbol 106. The value or amount of the negative modifier is not shown to the player as the pitchfork is thrown towards the target symbol 106. The player determines the value of the negative modifier by the amount that the bonus award associated with the target symbol 106 is reduced.

FIG. 4E
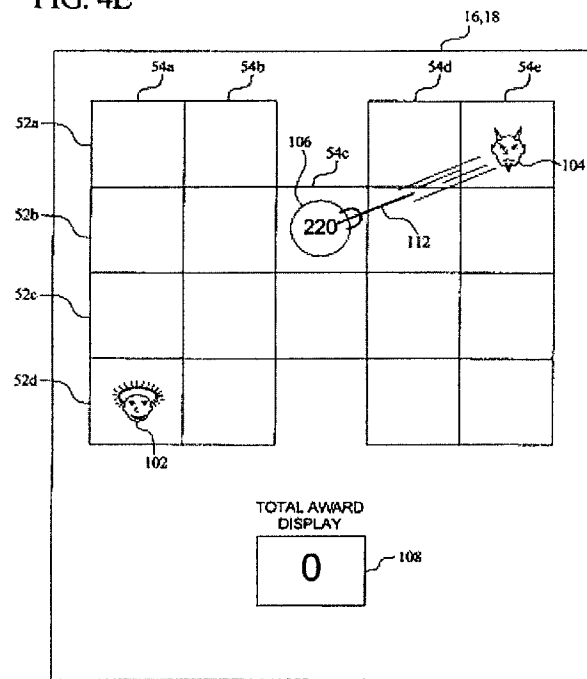
Referring to Fig. 4F of the present application provided below, if the pitchfork hits the target symbol 106, the target symbol begins to spin in the direction indicated by arrow 113. After the target symbols stop spinning, the reduced bonus award is displayed by the target symbol 106. In this example, the negative modifier associated with the pitchfork that hit the target symbol in Fig. 4E reduced the bonus award by a value of twenty.

FIG. 4F
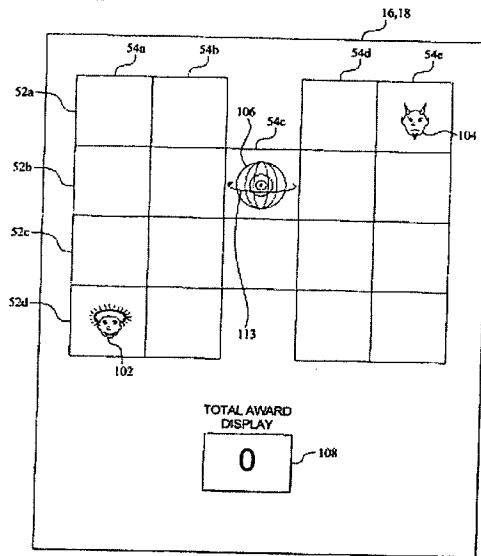
Therefore, the new bonus award is two hundred as shown on the target symbol in Fig. 4G of the present application provided below. Additionally, the value of the negative modifier is displayed with the negative modifier symbol or devil symbol 104 that generated the negative modifier. As shown in Fig. 4G, the negative value is superimposed on the devil symbol. 104.

FIG. 4G
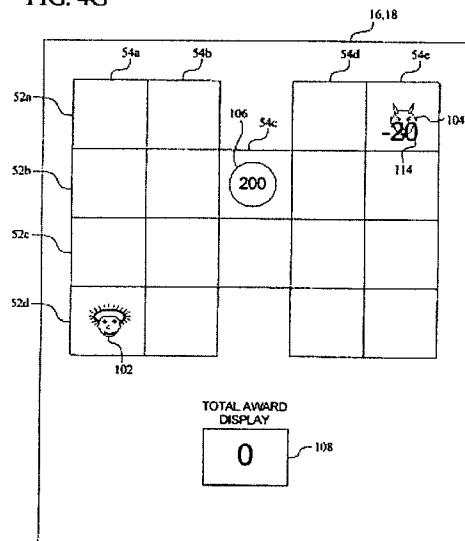
Referring to Fig. 4H of the present application provided below, the devil symbol 104 in this example only generates one negative modifier. Therefore, the positive
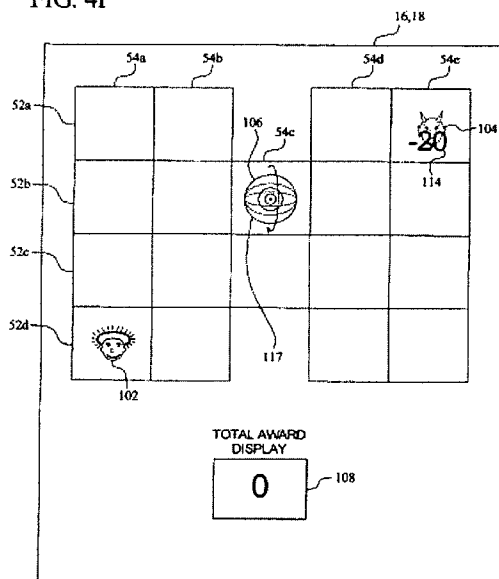
modifier symbol or angel symbol 102 now generates one or more positive modifiers to increase the bonus award associated with the target symbol 106. In this example, the positive modifier symbol or angel symbol 102 generates a positive modifier which is associated with the arrow 116. The gaming device displays the arrow 116 being projected towards the target symbol 106.

FIG. 4H
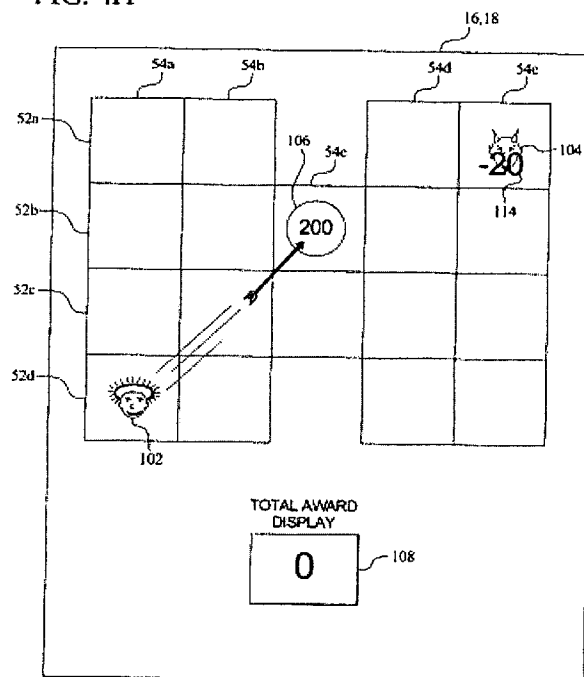
Referring to Fig. 4I of the present application provided below, the arrow 116 hits the target symbol 106 and causes the target symbol to spin in the direction indicated by the arrow 117. Once the target symbol 106 stops spinning, the modified or increased bonus award is displayed to the player. In this example, the new bonus award is an award of two hundred eighty. Therefore, the positive modifier generated by the angel symbol 102 was a positive value of eighty.

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FIG. 4I

The gaming device displays or superimposes the positive value associated with the positive modifier generated by the angel symbol 102 on or adjacent to the angel symbol on the reels as indicated in Fig. 4J of the present application provided below. Because only one positive modifier is generated by the angel symbol 102 in this game, the game ends and the player receives the bonus award of two hundred eighty credits associated with the target symbol 106 as shown in Fig. 4J. The bonus award of two hundred eighty is transferred and indicated by the total award display 108. The game ends and the gaming device returns the player to the base or primary game.

FIG. 4J
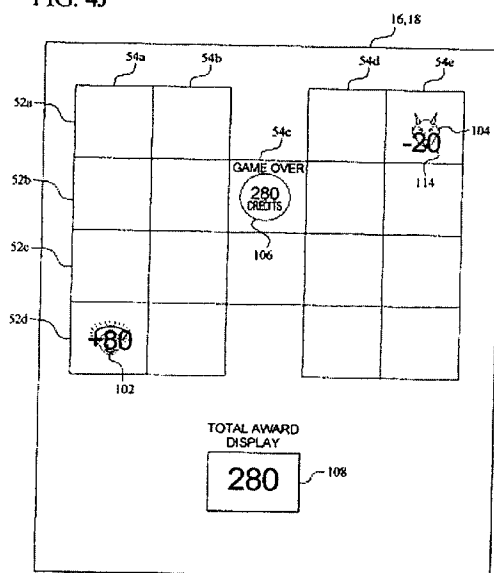
During the April 15, 2008 interview, Applicants generally discussed the foregoing example embodiment of the present application for illustrative purposes. In addition, Applicants' representative and the Examiner discussed a variety of clarifying amendments Applicants could make to each of the independent claims to clarify the existing claim elements and place the claims in condition for allowance. Applicants have made many of the claim amendments discussed during the interview.

Amended Claim 1 includes at least one processor programmed for a play of a game to randomly determine a number of positive modifier symbols to display on the reels and randomly determine a number of negative modifier symbols to display on the reels. Vancura does not disclose a processor programmed for a play of a game to make these determinations.

Amended Claim 1 also includes at least one processor programmed for a play of a game to for each of the number of positive modifier symbols to be displayed on the reels, randomly determine a value to associate with the positive modifier symbol and for each of the negative modifier symbols to be displayed on the reels, randomly determine a value to associate with the negative modifier symbol. Vancura also does not disclose a processor programmed for a play of a game to make these determinations.

Amended Claim 1 further includes at least one processor programmed for a play of a game to cause a display of a plurality of the symbols on the reels based on said determinations, wherein for each of any displayed positive modifier symbols and negative modifier symbols, the value associated with the symbol is masked until a triggering event occurs and an award is modified. Vancura does not disclose masking positive modifier and negative modifier symbols.

Amended Claim 1 further includes at least one processor programmed for a play of a game to upon an occurrence of a triggering event based on at least an award symbol and a positive modifier symbol being displayed simultaneously on the reels, enable a player to select an input associated with the award symbol and display an award associated with the award symbol after the player selects the input.

In Vancura, upon the occurrence of an MM symbol on the reels in a base game, the gaming machine automatically spins or enables a player cause the spinning of the reels in the bonus game, at which time the three values are displayed on the payline 65,

as illustrated in Fig. 5 of Vancura. In Vancura, there is no "award symbol" associated with the bonus award (i.e., the target symbol in the foregoing example from the present application) displayed prior to the display of an award in the bonus game or associated with a triggering event which enables a player to select an input associated with an award symbol.

As discussed during the interview, the Office Action made frequent reference to claimed features being obvious design choices. Applicants submit the magnitude of amendments made to Claim 1 and the other claims should preclude further use of such a rejection. See *In re Gal*, 980 F.2d 717, 25 USPQ2d 1076 (Fed. Cir. 1992) (finding of "obvious design choice" precluded where the claimed structure and the function it performs are different from the prior art). The added claim features, in combination, would significantly change the character and structure of the Vancura game, in that significant programming and structural changes would be required of the Vancura game to achieve the claimed gaming device. Although the MPEP does not preclude the use of such rejections, every claimed feature in a claim cannot be an obvious design choice. For at least these reasons, Applicants respectfully submit that Claims 1 to 15, 21 to 29, 31 to 37 and 39 to 43 are patentable over Vancura and in condition for allowance.

The Office Action rejected Claim 38 under 35 U.S.C. 103(a) as being unpatentable over Vancura in view of United States Patent No. 5,816,918 to Kelly ("Kelly"). For the same reasons, Applicants respectfully submit that Claim 38 is patentable over the combination of Vancura and Kelly and in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,
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Dated: <u>May 2, 2008</u>